

Sponsored By:

Kevin E. Dayhoff, Mayor
Damian Halstad, Council President

RESOLUTION NO. R02-5

RESOLUTION of The Mayor and Common Council of Westminster:

SUBJECT: Adoption of Drought Management Plan

WHEREAS, The City of Westminster has been experiencing drought conditions which have adversely affected the availability of the City's water supply; and

WHEREAS, the State of Maryland has also been experiencing drought conditions to such an extent that the Governor of Maryland has issued mandatory drought restrictions contained in Executive Order 01.01.2002.04 pursuant to Article 16A and Article 41 of the Maryland Annotated Code; and

WHEREAS, previously on April 22, 2002, The Mayor and Common Council adopted Resolution No. R02-1 which imposed certain mandatory drought restrictions; and

WHEREAS, Section 160-13 of the Westminster City Code authorizes The Mayor and Common Council of Westminster to exercise control over the City's water supply at all times and, in cases of shortage of water or for any other reason, authorizes The Mayor and Common Council of Westminster to determine that the water supply should be conserved; and

WHEREAS, Section 160-13 of the Westminster City Code further authorizes The Mayor and Common Council of Westminster to adopt by resolution drought management plans which may result in orders issued by the Mayor imposing mandatory water use restrictions; and

WHEREAS, Section 160-13 of the Westminster City Code further provides that any user or consumer of water upon notice from the City shall comply with any order passed by The Mayor and Common Council of Westminster, any drought management plan it has adopted by resolution, or any order issued by the Mayor pursuant to any such drought management plan to conserve the water supply; and

WHEREAS, Section 160-13 of the Westminster City Code provides that any violation of an order of The Mayor and Common Council of Westminster regarding the conservation of water shall be a municipal infraction subject to monetary penalties and the possible discontinuance of water service.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF WESTMINSTER that The Mayor and Common Council hereby determines and finds that its supply should be conserved in light of the recent drought conditions, and that it is in the public health, safety and welfare for it to adopt by reference the Drought Management Plan issued by the Director of the Department of Planning and Public Works dated July 1, 2002. A copy of said Drought Management Plan is attached hereto and incorporated herein as **Attachment A**; and

AND, BE IT FURTHER RESOLVED by The Mayor and Common Council of Westminster that its Drought Management Plan will remain in force and effect until further resolution of The Mayor and Common Council of Westminster; and

AND, BE IT FURTHER RESOLVED by The Mayor and Common Council of Westminster that Section 160-13C of the Westminster City Code also provides that the City at any time and without further notice, may discontinue the water service of any person violating its order, any drought management plan, or order issued by the Mayor pursuant to it; and

AND, BE IT FURTHER RESOLVED that The Mayor and Common Council of Westminster continues to encourage water conservation for its citizens and for all commercial uses;

AND, BE IT FURTHER RESOLVED by The Mayor and Common Council of Westminster that this Resolution shall take effect upon the rescission of Resolution No. R02-1.

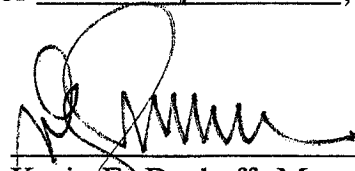
INTRODUCED this 10th day of June, 2002.

Laurell E Taylor
Laurell E. Taylor, City Clerk

PASSED this 8th day of July, 2002.

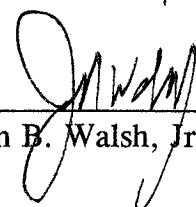
Laurell E Taylor
Laurell E. Taylor, City Clerk

APPROVED this 8th day of July, 2002.



Kevin E. Dayhoff, Mayor

Approved as to legal form
and sufficiency this 8th
day of July, 2002.



John B. Walsh, Jr., City Attorney